

Heidi Li, Esq., SBN 202068
 Matthew J. Webb, SBN 148228
 The Law Offices of Matthew J. Webb
 409 – 13th Street, Tribune Tower, 17th Floor
 Oakland, CA 94612
 Telephone: (510) 444-4224
 Facsimile: (510) 444-4223

Attorney for Plaintiffs
 Juan Murillo, Maria Murillo, Martha Jimenez,
 Amalia Rios and Maria Muñoz

Susan T. Kumagai (State Bar No. 127667)
 LAFAYETTE & KUMAGAI LLP
 100 Spear Street, Suite 600
 San Francisco, California 94105
 Telephone: (415) 357-4600
 Facsimile: (415) 357-4605

Attorneys for Defendant
 CHASE HOME FINANCE LLC

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

JUAN MURILLO aka JUAN MANUEL
 MURILLO; MARIA MURILLO aka MARIA
 JUDITH MURILLO; MARTHA JIMENEZ;
 AMALIA RIOS aka AMALIA GALVAN RIOS;
 and MARIA MUÑOZ,

Plaintiffs,

vs.

FRANCISCO CERVANTES; TERESA DIAZ;
 BOBBY RAY LEE; FIRST FEDERAL
 MORTGAGE BANKERS, INC. dba CITYWIDE
 PROPERTIES dba CITYWIDE HOME LOANS
 dba RAM CAPITAL CORP.; HAROLD
 BLANCO; EAGLE LITERACY GROUP, INC.;
 NEW CENTURY MORTGAGE CORP.; WELLS
 FARGO BANK, NA.; CHASE HOME
 FINANCE, LLC, OCWEN LOAN SERVICING,
 LLC and DOES 1-100,

Defendants.

Case No: C07-02199 MEJ

**ALL PLAINTIFFS AND DEFENDANT
 CHASE HOME FINANCE'S JOINT
 STIPULATION SEEKING RELIEF FROM
 CASE MANAGEMENT SCHEDULE;
~~PROPOSED~~ ORDER**

WHEREAS, on April 20, 2007, plaintiffs Juan Murillo, Maria Murillo, Martha Jimenez, Amalia Rios and Maria Muñoz ("plaintiffs") through their former attorney of record Housing and Economic Rights Advocates (HERA) filed a Complaint for damages naming, among other defendants, "JPMorgan Chase Bank, N.A. dba Chase Home Finance LLC" ("Chase") and all other defendants named therein;"

WHEREAS, on June 27, 2007, plaintiffs filed a First Amended Complaint for damages naming, among other defendants, "JPMorgan Chase Bank, N.A. dba Chase Home Finance LLC" ("Chase") and all other defendants named therein;"

WHEREAS, on June 28, 2007, plaintiffs filed an Ex Parte Application Seeking Relief from Case Management Schedule and Extending Time for Service of Summons and Complaint; [Proposed] Order. In doing so, plaintiffs sought relief from this Court's initial April 20, 2007, Order Setting Initial Case Management Conference pursuant to Civil Local Rule 16-2(d) in order to allow plaintiffs and defendants in this proceeding full and fair opportunity to jointly comply with meet and confer, ADR, initial disclosure and joint Case Management Statement filing requirements as the First Amended Complaint had just been filed and no defendants named in the initial Complaint had been served yet. See F.R.C.P. 26(a)(1), and (f); Civil L.R. 16-8, 16-9(a) and 16-10; and ADR L.R. 3-5;

WHEREAS, on July 10, 2007, this Court issued its Order Adopting [plaintiffs'] Proposed Revised Case Management Schedule which provided for the following revised Case Management Schedule:

9/11/07	Last day to meet & confer re initial disclosures, early settlement, ADR process selection, and discovery plan	FRCivP 26(f); ADR L.R.3-5
9/11/07	Last day to file Joint ADR Certification with Stipulation to ADR process or Notice of Need for ADR Phone Conference	Civil L.R. 16-8
9/26/07	Last day to complete initial disclosures or state objection in Rule 26(f) Report, file / serve Case Management Statement, and file / serve Rule 26(f) Report	FRCivP 26(a)(1) Civil L.R. 16-9
10/04/07	Initial Case Management Conference (CMC) in Ctrm. B, 15 th Floor, SF 10:00 AM	Civil L.R. 16-10

1
2 WHEREAS, plaintiffs through their former attorney of record Housing and Economic Rights
3 Advocates (HERA) served JPMorgan Chase Bank, N.A. with Summons and First Amended Complaint
4 in this action on August 1, 2007;

5 WHEREAS, plaintiffs through their former attorney of record Housing and Economic Rights
6 Advocates (HERA) served New Century Mortgage Corp. with Summons and First Amended
7 Complaint in this action on August 1, 2007;

8 WHEREAS, plaintiffs both notified and instructed in writing as of August 2, 2007, Housing
9 and Economic Rights Advocates of their intention to substitute in shortly a new a counsel of record in
10 place of and instead of it in this action;

11 WHEREAS, New Century issued a letter dated August 14, 2007 to Housing and Economic
12 Rights Advocates confirming its receipt of plaintiffs' First Amended Complaint and informed plaintiffs
13 therein of its request that "all proceedings in connection with this matter [against it] be stayed" in light
14 of the Chapter 11 bankruptcy petitions filed by it on April 2, 2007. See attached EXHIBIT B – August
15 14, 2007 New Century letter to Housing and Economic Rights Advocates.

16 WHEREAS, plaintiffs filed a Substitution of Attorneys with this Court on August 22, 2007
17 substituting attorneys Matthew J. Webb, Esq. and Heidi M. Li, Esq., of the Law Offices of Matthew
18 Webb, as their attorney of record effective as of August 6, 2007, in place of and instead of Housing
19 and Economic Rights Advocates, in this action;

20 WHEREAS the Substitution of Attorneys filed by plaintiffs on August 22, 2007 was submitted
21 only after Housing and Economic Rights Advocates' signature consenting to this substitution of
22 counsel was obtained on August 21, 2007;

23 WHEREAS, plaintiffs and Chase Home Finance ("Chase"), at the request of legal counsel
24 retained by Chase, filed on August 23, 2007, a Stipulation Regarding Amendment to Complaint and to
25 Extend Time to File Responsive Pleading by Defendant Chase Home Finance LLC; [Proposed] Order;

26 WHEREAS, the basis for plaintiffs and Chase seeking to amend the complaint was to amend
27 plaintiffs' First Amended Complaint to name "Chase Home Finance LLC" as a defendant in this action
28 instead, and in place, of "JPMorgan Chase Bank, N.A. dba Chase Home Finance LLC" as "Chase

1 Home Finance LLC" ("Chase") is the correct name for this defendant in this action instead of
 2 "JPMorgan Chase Bank, N.A. dba Chase Home Finance LLC;"

3 WHEREAS, the basis for plaintiffs and Chase stipulating to Chase having until and
 4 including September 20, 2007, to file a responsive pleading to plaintiffs' Second Amended Complaint
 5 (including, but not limited to, a motion to dismiss pursuant to FRCP Rule 12) was and is that these
 6 parties continue to be engaged in meaningful, early settlement negotiations regarding the plaintiffs'
 7 claims against this defendant;

8 WHEREAS, on August 27, 2007, this Court issued an Order Approving the above-stated
 9 requests contained in the August 23, 2007, Stipulation Regarding Amendment to Complaint and to
 10 Extend Time to File Responsive Pleading by Defendant Chase Home Finance LLC;

11 WHEREAS, on August 28, 2007, plaintiffs filed a Second Amended Complaint for damages
 12 naming, among other defendants, "Chase Home Finance LLC" ("Chase") and all other defendants
 13 named therein;"

14 WHEREAS, on August 28, 2007, plaintiffs served by first class mail the Summons and Second
 15 Amended Complaint and other initial court papers issued in this proceeding on Chase through its
 16 designated counsel, attorney Susan T. Kumagai of LAFAYETTE & KUMAGAI LLP;

17 WHEREAS, on August 31, 2007, plaintiffs, through process servers, effectuated personal
 18 service of Summons and Second Amended Complaint and other initial court papers issued in this
 19 proceeding on the following defendants: Bobby Ray Lee, First Federal Mortgage Bankers, Inc. dba
 20 Citywide Properties; Teresa Diaz, Wells Fargo Bank, N.A., and Ocwen Loan Servicing, LLC.

21 WHEREAS, since August 28, 2007, plaintiffs have engaged in diligent efforts to try to
 22 effectuate personal service of Summons and Second Amended Complaint and other initial court
 23 papers issued in this proceeding on the remaining named defendants in this matter: Francisco
 24 Cervantes, Harold Blanco and Eagle Literacy Group, Inc.;

25 WHEREAS, as of the date of the filing of this Stipulation, no other defendants named in
 26 plaintiffs' Second Amended Complaint have yet filed an initial responsive pleading nor, otherwise,
 27 appeared in this action except for Chase (by stipulation only);

28 WHEREAS, such relief from the current July 10, 2007, Order Adopting Proposed Case
 Management Schedule is necessary in order to allow plaintiffs and all defendants in this proceeding
 full and fair opportunity to jointly comply with meet and confer, ADR, initial disclosure and joint Case
 Management Statement filing requirements; and

1 WHEREAS, Good cause exists to approve this Stipulation as no defendant party has filed an
2 initial responsive pleading yet nor appeared in the action except for Chase (by stipulation only) and no
3 prejudice will, as a consequence, result to any of the parties. See F.R.C.P. 6(b); and Civil L.R. Rules
4 6-1(b), 6-2 and 7-12.

Respectfully Submitted,

5 Dated: Sept. 7, 2007

THE LAW OFFICES OF MATTHEW J. WEBB

6 By: / S/
7 HEIDI LI
8 Attorneys for Plaintiffs

9 Dated: Sept. 7, 2007

LAFAYETTE & KUMAGAI LLP

10 By: / S/
11 SUSAN T. KUMAGAI
12 Attorneys for Defendant
13 CHASE HOME FINANCE LLC

14 **SIGNATURE ATTESTATION**

15 As the attorney efiled this document with the court, I hereby attest that I have on file all
16 holograph signatures for any and all signatures indicated by a "conformed" signature (/S/) within this
17 efiled document.

18
19 DATED: Sept. 7, 2007

LAFAYETTE & KUMAGAI LLP

20 By: / S/
21 SUSAN T. KUMAGAI
22 Attorneys for Defendant
23 CHASE HOME FINANCE LLC
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ORDER

The Court has reviewed the plaintiffs and defendant Chase's Stipulation Seeking Relief from Case Management Schedule; proposed revised Case Management Schedule; [Proposed] Order and based upon the foregoing, and GOOD CAUSE APPEARING,

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that the plaintiffs, Chase and all other defendants named in plaintiff's Second Amended Complaint be granted relief from the court's current Order Adopting Proposed Revised Case Management Schedule and the court shall issue a new Order Adopting Proposed Revised Case Management Schedule in this proceeding as identified and attached hereto in EXHIBIT A.

IT IS SO ORDERED this 11th day of September, 2007.

Honorable Maria
United States District
Magistrate Judge

